

**BROWARD COUNTY SHERIFF'S OFFICE**

P.O. BOX 9507 FORT LAUDERDALE, FLORIDA 33310

**RETURN OF SERVICE**

Assignment: 1161

Service Sheet #

08-043618

THE ROBERT ALLEN GROUP, INC. vs. MONIKER ONLINE SVCS., ETAL 08-CIV-5378

PLAINTIFF COMPLAINT/DS

VS.

DISTRICT/

DEFENDANT

CASE

TYPE OF WRIT

MONIKER ONLINE

COURT

20 SW 27TH AVENUE SUITE 201

HEARING DATE

SERVE

POMPANO BEACH, FL 33069

SERVICES, INC.

Received this process on

6/17/2008

Date

346640

KAPLAN &amp; LEVENSON P.C.

630 THIRD AVENUE

NEW YORK, NY 10017

☒ Served☐ Not Served - see comments

6-25-08

at

10:40 AM

Date

Time

15167

Attorney

On MONIKER ONLINE

SERVICES, INC.

in Broward County, Florida, by serving the within named person a true copy of the writ, with the date and time of service endorsed thereon by me, and a copy of the complaint, petition, or initial pleading, by the following method:

☐ **INDIVIDUAL SERVICE****SUBSTITUTE SERVICE:**☐ At the defendant's usual place of abode on "any person residing therein who is 15 years of age or older", to wit:

\_\_\_\_\_, in accordance with F.S. 48.031(1)(a)

☐ To \_\_\_\_\_, the defendant's spouse, at \_\_\_\_\_ in accordance with F.S. 48.031(2)(a)☐ To \_\_\_\_\_, the person in charge of the defendant's business in accordance with F.S. 48.031(2)(b), after two or more attempts to serve the defendant have been made at the place of business**CORPORATE SERVICE:**☒ To Victor Pitts, holding the following position of said corporation V.P. in the absence of any superior officer in accordance with F.S. 48.081☐ To \_\_\_\_\_, an employee of defendant corporation in accordance with F.S. 48.081(3)☐ To \_\_\_\_\_, as resident agent of said corporation in accordance with F.S. 48.091☐ **PARTNERSHIP SERVICE:** To \_\_\_\_\_, partner, or to \_\_\_\_\_, designated employee or person in charge of partnership, in accordance with F.S. 48.061(1)☐ **POSTED RESIDENTIAL:** By attaching a true copy to a conspicuous place on the property described in the complaint or summons. Neither the tenant nor a person residing therein 15 years of age or older could be found at the defendant's usual place of abode in accordance with F.S. 48.1831<sup>st</sup> attempt date/time: \_\_\_\_\_2<sup>nd</sup> attempt date/time: \_\_\_\_\_☐ **POSTED COMMERCIAL:** By attaching a true copy to a conspicuous place on the property in accordance with F.S. 48.1831<sup>st</sup> attempt date/time: \_\_\_\_\_2<sup>nd</sup> attempt date/time: \_\_\_\_\_☐ **OTHER RETURNS:** See comments

COMMENTS: \_\_\_\_\_

You can now check the status of your writ by visiting the Broward Sheriff's Office Website at [www.sheriff.org](http://www.sheriff.org) and clicking on the icon "Service Inquiry"

AL LAMBERTI, SHERIFF  
BROWARD COUNTY, FLORIDA

BY: John Auriemma D.S.

14577

ORIGINAL

District COURT  
COUNTY OF

The Robert Allen Group, Inc.

Plaintiff(s)

against

Index No. #08-Civ-5378

AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)

Moniker OnLine Svcs., et al Defendant(s)

STATE OF FLORIDA COUNTY OF BROWARD

SS: The undersigned, being duly sworn, deposes and says: deponent is not a

party herein, is over 18 years of age and resides at 2601 W. Broward Blvd., Ft. Lauderdale, FL 33312  
That on JUNE 25-2008 at 10:40 AM., at 20 SW 27 Ave #201 Pompano Beach FL 33069  
deponent served the within summons, and complaint on MONIKER ON LINE Services Inc defendant therein named,

INDIVIDUAL

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

1.

CORPORATION

a FLORIDA corporation, by delivering thereat a true copy of each to VICTOR PITTS personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be Vice President thereof.

2. ☒

SUITABLE AGE PERSON

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

3. ☐

AFFIXING TO DOOR, ETC.

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

4. ☐

MAILING TO  
RESIDENCE  
USE WITH 3 OR 4

5A. ☐

MAILING TO  
BUSINESS  
USE WITH 3 OR 4

5B. ☐

DESCRIPTION  
USE WITH  
1, 2, OR 3

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within Florida State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within Florida State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input checked="" type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input checked="" type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input checked="" type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE "M"  
NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE

☐

Asked the person spoken to whether recipient was in active military service of the United States or any state in any capacity whatsoever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of any state or the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on June 27, 2008

Carol J. Trefry  
Notary Public

NOTARY PUBLIC-STATE OF FLORIDA  
Carol J. Trefry  
Commission # DD549410  
My Comm. Expires: 05/08/2010

PRINT NAME BENEATH SIGNATURE

Dep. John Auerman  
License No. 14577